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FEDERAL COMMUNICATIONS COMMISSION NOV - 5 1998
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
1998 Biennial Regulatory Review -)
Amendment of Part 0 of the)
Commission's Rules to Close the)
Wireless Telecommunications)
Bureau's Gettysburg Reference)
Facility)

WT Docket No. 98-160

To: The Commission

COMMENTS

Blooston, Mordkofsky, Jackson & Dickens (BMJD), on behalf of its clients, hereby submits, pursuant to Section 1.415(a) of the Commission's Rules, its comments in the above-captioned proceeding (WT Docket No. 98-160), in which the Commission proposes to amend its rules to eliminate the Wireless Telecommunications Bureau's (WTB's) public reference room in Gettysburg, Pennsylvania.

I. Statement of Interest.

BMJD is a law firm located in Washington, D.C., with a satellite office co-located with the Commission's offices in Gettysburg, Pennsylvania. BMJD represents several hundred clients before the Commission with licensing matters that are processed at the Gettysburg facility. As such, BMJD makes significant use of the reference room and the

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facilities therein in order to obtain accurate information and obtain license files on behalf of its clients.

II. The Closing of the Reference Room Should be Delayed.

BMJD urges the Commission to keep the Gettysburg Public Reference Room open for the foreseeable future, at least until it can guarantee that the data available through the Commission's Internet web site and/or the publicly accessible wide-area network is consistent with the data that can be obtained through the computer terminals and paper files in the Public Reference Room. The justification provided by the Commission for closing the Gettysburg Public Reference Room is that the public can retrieve the same information that is currently available in the reference room through the Commission's Internet web site. While, in theory this may be true, BMJD has recently found numerous instances where information obtained over the Internet was inconsistent with information obtained using the computer terminals in the Public Reference Room, or where needed information simply was not available. BMJD understands that both the system in the Public Reference Room and the Internet-based/wide-area network systems are supposed to access the same data. However, programming differences or errors affect what data the end-user is able to retrieve, thereby leading to inconsistent search results and information.

In the course of using the Public Reference Room, the Commission's Internet web site, and wide area network, BMJD has noted the following discrepancies:

- Database searches using the Internet and Public Reference Room come up with different results. For example, using the General Menu search on Internet and entering a call sign may not retrieve a pending application for the same call sign, while such information would be accurately obtained using the computers in the Public Reference Room. There have been numerous instances where a pending application could not be retrieved over the Internet when searching by call sign or licensee name, but could be retrieved if the file number of the application was entered. Being able to reliably obtain information with respect to pending applications is critical for tracking an application's progress to ensure that it is timely granted, or if there is a problem, that it is corrected promptly.
- The computer terminals in the Public Reference Room provide complete application data, while the information available over the Internet is severely limited. For example, the narrative eligibility statement on an application is not available when searching the Commission's license database over the Internet. Also, the emission designator is not accessible. This is necessary to determine the bandwidth and type of emission to be used by the applicant. This information is needed to determine an applicant's proposed use, to see if, e.g., a request for multiple channels is justified.

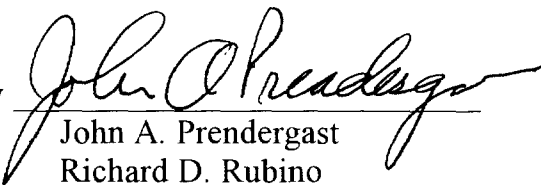
- **Application Returns** -- The Commission's license database over the Internet and wide-area networks only reflect the date an application is returned. However, the computer terminals in the Public Reference Room provide detailed information for application returns, including: (a) to whom the application was returned, (b) the date of the application return, and (c) the reasons for the return. This information can be of vital importance in locating an application that may be sent to a large corporate licensee in order to make sure that the application is acted on promptly and returned for frequency coordination (if necessary) and filing with the FCC. Under the Commission's Universal Licensing System proposal, this would be of even more importance since the Commission has adopted Rules to shorten the application return period to 30 days. See Report and Order WT Docket No. 98-20, FCC 98-234, (Released October 21, 1998).
- Information regarding the status of requests for special temporary authority is available in the Public Reference Room. No such capability is available using the Internet.
- Printing license information using the Internet and wide-area network sites is cumbersome, requiring printing of each of several screens of data. At the Public Reference Room, a printout of the complete license can be obtained.

For the foregoing reasons, the Commission's proposal to close the Public Reference Room should be delayed until the Commission can ensure that all of the

resources currently available to the public in the Public Reference Room are made available over the Internet and/or public portions of the wide-area network, in the same manner as if the user was physically utilizing the Public Reference Room.

Respectfully submitted,

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